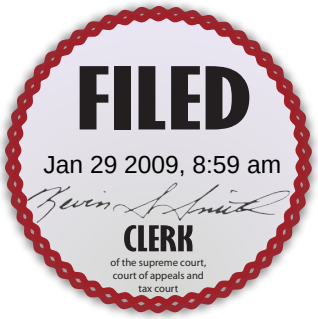

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IN THE
COURT OF APPEALS OF INDIANA

A.D.,	)	
	)	
Appellant-Respondent,	)	
	)	
vs.	)	No. 02A03-0806-JV-318
	)	
ALLEN COUNTY DEPARTMENT OF CHILD SERVICES,	)	
	)	
Appellee-Petitioner.	)	

APPEAL FROM THE ALLEN SUPERIOR COURT
The Honorable Charles F. Pratt, Judge
Cause No. 02D07-0604-JT-81 and 02D07-0604-JT-82

January 29, 2009

MEMORANDUM DECISION - NOT FOR PUBLICATION

NAJAM, Judge

STATEMENT OF THE CASE

April D. ("Mother") appeals the involuntary termination of her parental rights to her children, T.W. and T.D., claiming there is insufficient evidence supporting the trial court's termination order.

We affirm.

FACTS AND PROCEDURAL HISTORY[1]

Mother is the biological mother of T.W., born July 25, 2002, and T.D., born February 17, 2004 (collectively, "the children"). On May 1, 2005, the Allen County Department of Child Services ("ACDCS") received a referral from local law enforcement personnel concerning a possible case of neglect involving Mother and the children. An investigation was initiated by ACDCS intake case manager Nathan Connor ("Connor") who met local police officers at the gas station where Mother had been observed with the children. The children appeared dirty and did not have coats despite the forty-degree temperature outdoors. In addition, one of the children did not have socks or shoes on. Mother also appeared dirty, was disoriented, and appeared to be suffering from hallucinations. Mother informed Connor that she needed assistance and that she did not have a place to live. As a result of this investigation, Mother was

[1] The parent-child relationships between T.W., T.D., and the children's biological father, Terry W. ("Father"), were involuntarily terminated by the trial court on April 23, 2008; however, Father does not participate in this appeal. Consequently, our recitation of the facts is limited solely to those pertinent to Mother's appeal.

taken to Parkview Behavioral Health[2] where she was admitted for inpatient care. The children were taken into protective custody.

A preliminary hearing was held on May 3, 2005, after which the trial court determined there was probable cause to believe T.W. and T.D. were children in need of services ("CHINS"), authorized the ACDCS to file a CHINS petition, and ordered that the children be placed in licensed foster care.[3] On May 31, 2005, the ACDCS filed separate CHINS petitions for T.W. and T.D., and an initial hearing on said petitions was held on June 7, 2005. During the initial hearing, Mother admitted to a majority of the allegations contained in the petitions, including the following allegations: (1) that, at the time of the children's removal, Mother was being evicted from her home, which was in poor condition with no gas service; (2) that Mother was admitted to Parkview Behavioral Health for several days and was therefore unable to care for the children; and (3) that Mother had a long history of being a victim of physical abuse by her father and other men in her life, including the children's father.

At the conclusion of the hearing, the trial court found the children to be CHINS and ordered that the children be formally removed from Mother's care. Immediately thereafter, a dispositional hearing commenced and the trial court subsequently entered a dispositional order which incorporated a parent participation plan directing Mother to participate in and successfully complete a number of services in order to achieve

[2] Parkview Behavioral Health is an acute care psychiatric hospital located in Fort Wayne that provides both inpatient and outpatient services to its patients.

[3] A third child, A.D., was also removed from Mother's care; however, A.D. was not subject to the underlying termination proceedings.

reunification with her children. Specifically, Mother was required to, among other things: (1) maintain clean, safe, and appropriate housing; (2) obtain and maintain employment; (3) participate in a psychological evaluation and follow any resulting recommendations; (4) enroll in and successfully complete individual counseling to address issues of domestic violence, parenting, and conflict resolution; (5) cooperate with home-based service providers; and (6) exercise regular visitation with the children as recommended by the ACDCS.

Although Mother refused to take the depression medications that were prescribed for her during her hospitalization at Parkview Behavioral Health, Mother initially began participating in court-ordered services provided by Park Center[4] and Stop Child Abuse Now ("SCAN") pursuant to the parent participation plan. In June 2005, Park Center caseworker Kathleen Habeger ("Habeger") began providing home-based services to Mother designed to help her improve her parenting skills, assertiveness, household budgeting, and ability to choose healthy relationships with men. Mother also regularly participated in visitation with the children.

In October 2005, Mother submitted to a psychological evaluation performed by Michael Didier ("Didier"), an outpatient therapist employed by Park Center. Didier's testing revealed that Mother had Major Depressive Disorder, recurrent-type, and that she was also experiencing psychotic features due to her severe depression. Didier further determined that Mother was suffering from Dependent Personality Disorder.

[4] Park Center is a private, non-profit counseling and psychiatric facility offering a full range of recovery-focused behavioral health care services to adults and children including individual, group, and family counseling.

Didier's findings confirmed those of Dr. Lambertson, the psychiatrist who had treated Mother during her hospitalization at Parkview Behavioral Health. As a result of Didier's evaluation, he recommended that Mother begin taking the medications prescribed by Dr. Lambertson for her depression and that she enroll in a women's therapy group to address her dependent personality traits and risk factors associated with domestic violence.

Mother's initial cooperation with service providers is reflected in the trial court's October 2005 review hearing decree, where the court found Mother to be in general compliance with its dispositional decree. Mother's compliance, however, became inconsistent soon thereafter, and at a December 2005 detention hearing, the trial court found Mother had not substantially complied with the parent participation plan. Mother's participation in services continued to fluctuate throughout the duration of the CHINS case. For example, for nearly two years, Mother regularly exercised visitation with the children. However, despite the recommendations of Mother's physicians and repeated requests from both Habeger and Mother's therapist, Judy Adams ("Adams"), Mother continued to refuse to take her anti-depression medications, claiming they made her too tired. In addition, Mother failed to obtain steady employment and was unable to maintain a clean living environment. Mother also struggled with her personal relationships as evidenced by her decisions to repeatedly bring previously unknown men from a nearby shelter into her home for overnight stays, as well as to continue to be involved with Father against the recommendations of Habeger and ACDCS

caseworker Tonsha Dufor ("Dufor"), both of whom were concerned with the couple's history of domestic violence.

At a permanency hearing in April 2006, the trial court again determined that Mother had not substantially complied with the parent participation plan and that the conditions resulting in the children's removal were not likely to be remedied. It therefore authorized the ACDCS to change its permanency plan from reunification to termination of parental rights and to file petitions for the involuntary termination of Mother's parental rights to T.W. and T.D. The ACDCS thereafter filed separate petitions for the involuntary termination of Mother's parental rights to the children on April 12, 2006.

On September 27, 2006, the trial court held a review hearing and determined that Mother was once again in substantial compliance with its dispositional decree. On March 27, 2007, the permanency plan reverted back to reunification. On August 30 of the same year, however, the trial court found that Mother was no longer in compliance with the parent participation plan, citing Mother's continued refusal to take her medications as prescribed, her failure to participate in a women's domestic violence group, and her refusal to cooperate with service providers at Park Center. As a result, the trial court found the ACDCS's permanency plan for reunification was no longer appropriate and advised the ACDCS to reinstate the previous plan of seeking the termination of Mother's parental rights.

A fact-finding hearing on the ACDCS's involuntary termination petitions commenced on October 29, 2007. Additional evidentiary hearings were held on

November 14, 2007, and on January 23, 2008. At the conclusion of the evidentiary hearings, the trial court took the matter under advisement. On April 23, 2008, the trial court issued separate judgments terminating Mother's parental rights to T.W. and T.D. Mother now appeals.

DISCUSSION AND DECISION

Mother alleges there is insufficient evidence supporting the trial court's termination order. Initially, we observe that this Court has long had a highly deferential standard of review in cases concerning the termination of parental rights. In re K.S., 750 N.E.2d 832, 836 (Ind. Ct. App. 2001). Thus, when reviewing the termination of parental rights, we will not reweigh the evidence or judge the credibility of the witnesses. In re D.D., 804 N.E.2d 258, 264 (Ind. Ct. App. 2004), trans. denied. Instead, we consider only the evidence and reasonable inferences therefrom that are most favorable to the judgment. Id.

Here, the trial court made specific findings of fact and conclusions thereon in terminating Mother's parental rights. Where the trial court enters specific findings and conclusions, we apply a two-tiered standard of review. First, we must determine whether the evidence supports the findings. Bester v. Lake County Office of Family & Children, 839 N.E.2d 143, 147 (Ind. 2005). Second, we determine whether the findings support the judgment. Id. In deference to the trial court's unique position to assess the evidence, we will set aside the court's judgment terminating a parent-child relationship only if it is clearly erroneous. In re L.S., 717 N.E.2d 204, 208 (Ind. Ct. App. 1999), trans. denied. A finding is clearly erroneous when there are no facts or inferences

drawn therefrom that support it. D.D., 804 N.E.2d at 264. A judgment is clearly erroneous only if the trial court's findings do not support its conclusions or if the conclusions do not support the judgment. Quillen v. Quillen, 671 N.E.2d 98, 102 (Ind. 1996).

"The traditional right of parents to establish a home and raise their children is protected by the Fourteenth Amendment of the United States Constitution." In re M.B., 666 N.E.2d 73, 76 (Ind. Ct. App. 1996), trans. denied. However, the trial court must subordinate the interests of the parents to those of the child when evaluating the circumstances surrounding the termination. K.S., 750 N.E.2d at 837. Parental rights may be terminated when the parents are unable or unwilling to meet their parental responsibilities. Id. at 836.

In order to terminate a parent-child relationship, the State is required to allege and prove that:

> (A) one (1) of the following exists:
>
> (i) the child has been removed from the parent for at least six (6) months under a dispositional decree;
>
> * * *
>
> (B) there is a reasonable probability that:
>
> (i) the conditions that resulted in the child's removal or the reasons for placement outside the home of the parents will not be remedied; or
>
> (ii) the continuation of the parent-child relationship poses a threat to the well-being of the child;
>
> (C) termination is in the best interests of the child; and

(D) there is a satisfactory plan for the care and treatment of the child.

Ind. Code § 31-35-2-4(b)(2) (1998 & Supp. 2007); Ind. Code § 31-35-2-8 (1998). The State must establish each of these allegations by clear and convincing evidence. Egly v. Blackford County Dep't of Pub. Welfare, 592 N.E.2d 1232, 1234 (Ind. 1992).

Mother does not challenge the trial court's determinations that the children were removed from her care for the requisite amount of time pursuant to subsection (A) of the termination statute cited above, or that continuation of the parent-child relationship poses a threat to the children's well-being. Mother does allege, however, that the ACDCS failed to prove by clear and convincing evidence that: (1) there is a reasonable probability the conditions resulting in the children's removal and continued placement outside of Mother's care will not be remedied; (2) termination of Mother's parental rights is in the children's best interests; and (3) the ACDCS has a satisfactory plan for the children's care and treatment.

We begin our review by acknowledging that Indiana Code Section 31-35-2-4(b)(2)(B) is written in the disjunctive. Thus, the trial court need find that only one of the two requirements of subsection (B) has been established by clear and convincing evidence. See L.S., 717 N.E.2d at 209. Here, the trial court found that the ACDCS proved both requirements of subsection (B), that is to say, the trial court determined, based on the evidence, both that there is a reasonable probability the conditions resulting in the children's removal from Mother's care will not be remedied and that continuation of the parent-child relationship poses a threat to the children's well-being.

Mother, however, does not challenge the trial court's latter finding in her brief to this Court. In failing to do so, Mother has waived review of this issue. See Davis v. State, 835 N.E.2d 1102, 1113 (Ind. Ct. App. 2005) (concluding that failure to present a cogent argument or citation to authority constitutes waiver of issue for appellate review), trans. denied. Nevertheless, given our preference to resolve a case on its merits, we will review the sufficiency of the evidence supporting the trial court's determination with regard to Indiana Code Section 31-35-2-4(b)(2)(B) by first considering whether the ACDCS presented clear and convincing evidence proving there is a reasonable probability the conditions resulting in the children's removal from Mother's care will not be remedied.

When determining whether there is a reasonable probability that the conditions justifying a child's removal will not be remedied, the trial court must judge a parent's fitness to care for his or her children at the time of the termination hearing, taking into consideration evidence of changed conditions. In re J.T., 742 N.E.2d 509, 512 (Ind. Ct. App. 2001), trans. denied. The trial court must also "evaluate the parent's habitual patterns of conduct to determine the probability of future neglect or deprivation of the child." Id. Pursuant to this rule, "trial courts have properly considered evidence of a parent's prior criminal history, drug and alcohol abuse, history of neglect, failure to provide support, and lack of adequate housing and employment." A.F. v. Marion County Office of Family & Children, 762 N.E.2d 1244, 1251 (Ind. Ct. App. 2002), trans. denied. In addition, the Department of Child Services is not required to provide evidence ruling out *all* possibilities of change; rather, it need establish only that there is

a reasonable probability a parent's behavior will not change. Kay L., 867 N.E.2d 236, 242 (Ind. Ct. App. 2007).

In determining there is a reasonable probability that the conditions resulting in the children's removal and continued placement outside Mother's care will not be remedied, the trial court made the following pertinent findings:

> 11. The record of the [C]ourt's findings in the periodic review hearing orders and permanency orders in the underlying CHINS case reflect [Mother's] inconsistencies and lack of ability to benefit from services. On October 18, 2005, [Mother] appeared at a periodic review hearing at which the [C]ourt found that [Mother] was in general compliance with the Dispositional Decree. However, by the Permanency Hearing on April 6, 2006, the Court determined that [Mother] had not substantially complied with the plan and that the conditions that led to the removal of the children were not likely to be remedied. The Court authorized the [ACDCS] to file a petition to terminate parental rights. By September 27, 2006[,] the Court found that [Mother] was in substantial compliance with the plan. Again at the March 27, 2007 Permanency Hearing[,] the Court found [Mother] was in substantial compliance and reunification became the adopted plan. By August 30, 2007, the Court modified the plan to that of termination of parental rights having found that [Mother] was no longer in compliance with the Dispositional Decree. Specifically, the Court found that [Mother] had failed to comply with Park Center services, did not participate in a women's domestic violence group, and did not take her medications as prescribed.
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> * * *
>
> 13. [Mother] has not been able to sustain safe and appropriate housing. She has lived in three different residences since the filing of the CHINS case. From the testimony of SCAN Case[]manager, Erica McCuiston, [Mother's] home ranged from being immaculate to being dirty and unsafe. The testimony of Erica Chayka confirmed this cycle. On her first visit to the home in the summer of 2007, she found insect infestation and the home was cluttered with no place to sit down. In the upstairs[,] one could smell sewage. The toilet was not functioning. There were layers of grime in the kitchen. She offered twice to assist [Mother] in cleaning the home[,] but the offer was declined. Then, on or about November 1, 2007, the house was clean. However, by December 1, 2007, the water was shut

off, the stool and tub were unsanitary, and the home was without gas utility service. The home was condemned.

14. [Mother] was granted budget and financial assistance through SCAN case[]managment services and Park Center's Home Based Services. Despite those services, [Mother] made poor financial choices. She had to repay a tax refund after the IRS found that she claimed the children as dependents while they were in foster care. She and [Father] spent a tax refund partying with friends, and she secured a credit card to consolidate her debts only to later discover that the credit card was a scam.

15. Despite therapeutic interventions[,] [Mother] continued to make poor judgments with regard to her associations. On July 16, 2007, she admitted that she and a man that she had just met had sex in an abandoned building. [Mother] ate at the local mission and would bring men home with her to spend the night. Someone she invited into the home broke the door and window to her house.

16. Despite concerns about domestic violence, [Mother] continued her relationship with the children's father. In Court, [Mother] testified that she had not had any contact with [Father] for the year prior to October 29, 2007. However, she acknowledged to Park Center's Kathleen [Habeger], SCAN's Emily Chayka, and the foster mother that she had been seeing him. [Mother] told [Habeger] that [Father] had threatened her with physical harm should she lose custody of the children and that he stole money from her. On February 28, 2007, [Father] and another woman had an altercation in [Mother's] home. On June 8, 2007, he struck [M]other in the face.

17. [Mother] was provided therapeutic services through Park Center Home Based Services. Her therapist, Judy Adams, testified that she has difficulty in meeting long[-]term goals. [Mother] refused to complete her therapy program through Park Center and her case was closed. Kathleen [Habeger], also of Park Center, set goals with [Mother] that included improvement of coping skills, assertiveness, friendship and peer selection, [and] parenting skills. She was discharged from Park Center for noncompliance.

18. [Mother] was able to demonstrate progress in her parenting skills. However, the foster mother testified that the children were returned to her care unfed and dirty following visits with [Mother]. [Mother's] parenting time ranged from supervised parenting time at the commencement of the

> case to unsupervised visits and then back to supervised visitation at the time of the termination hearing.
>
> 19. [Mother] has not been able to maintain employment. She recently married [Father]. Neither is employed and they are residing in the home of [Father's] mother.

Appellant's App. pp. 55-57, 60-62.[5] A thorough review of the record leaves us convinced that clear and convincing evidence supports the trial court's findings and conclusions set forth above. These findings and conclusions, in turn, support the trial court's ultimate decision to terminate Mother's parental rights to T.W. and T.D.

The evidence establishes that the children were initially removed from Mother's care because of Mother's neglectful conduct, lack of housing, and apparent mental instability due to her chronic and recurrent untreated depression. The reasons for the children's continued placement outside of Mother's care was her continuing inability to provide T.W. and T.D. with a safe, clean, and stable home environment as well as her unwillingness to follow the advice of physicians and medically treat her depression. At the time of the termination hearing, almost three years following the children's initial removal from Mother's care, these conditions still had not been remedied. Specifically, Mother was unemployed, had recently married and was living with the children's father, who was also unemployed and not permitted to have contact with T.W. or T.D., and Mother's house had recently been condemned as uninhabitable due to the filth, standing water in the basement, and the lack of utilities in the home. In addition,

[5] For clarification purposes, we note that because the ACDCS filed separate involuntary termination petitions for each child under separate cause numbers, the trial court issued separate termination orders for each child. The language contained in the termination orders and cited herein, however, is substantially the same, aside from the headings and other specific information pertaining to each child such as names, birth dates, etc.

Mother had ceased cooperating with service providers and had discontinued her participation in court-ordered programs including individual therapy and domestic abuse counseling.

Although we acknowledge that Mother had begun taking her anti-depression medications by the time of the termination hearing, the record reveals that throughout the duration of the underlying CHINS case and termination proceedings, Mother consistently refused to comply with her doctors' advice and to medically treat her mental illnesses until approximately two weeks before the termination hearing. We have previously explained that "the time for parents to rehabilitate themselves is during the CHINS process, prior to the filing of the petition for termination." Prince v. Dept. of Child Servs., 861 N.E.2d 1223, 1230 (Ind. Ct. App. 2007). Moreover, Mother's commitment to staying medically compliant remains unknown in light of her steadfast refusal to take her medication as prescribed in the past, her statement to therapist Adams at an April 2007 case conference that she "no longer wished to work on the goals of therapy[,]" and Mother's own acknowledgement during the termination hearing that she still felt the "correct medication" for her "has not yet been found." Tr. at 61, 168.

When questioned regarding Mother's progress with the various parenting issues that she had counseled Mother on, including better selection of male friends, assertiveness, organization, and budgeting, Habeger testified that she had not seen any overall progress and that by the time she closed Mother's case, Mother's progress and motivation "had gone down." Id. at 144-45. Additional evidence supporting the trial

court's determination that there is a reasonable probability the conditions resulting in the children's removal from Mother's custody will not be remedied came from Erica McCuiston ("McCuiston").

McCuiston testified that from November 2005 through June 2007, she had supervised visits between Mother and the children as well as provided home-based services for Mother as part of SCAN's Parents and Partners Program. McCuiston further informed the court that although Mother had consistently visited with the children, during the final two months that the case was open, she was unable to sufficiently supervise the interaction between Mother and the children because they would either not be at home or would not answer the door when McCuiston arrived for visits. McCuiston went on to state that during this time Mother only answered the door fifteen times out of forty-one attempts even though, on multiple occasions when Mother did not answer the door, McCuiston had observed Mother's van at the house.

Similarly, Emily Chayka ("Chayka"), the SCAN home-based counselor who replaced McCuiston in June 2007, testified that Mother "no-showed" sixteen times out of twenty-nine scheduled visits and was not present for any of Chayka's twelve unscheduled visit attempts. Id. at 110. Chayka further testified that during the majority of the time she worked with Mother, Mother continued to struggle with cleanliness issues in the home and that Mother had refused Chayka's offers to help her clean for several months. Specifically, Chayka reported that she had observed "insects crawling around" the house. Id. at 111. She also indicated that the house was "very cluttered[,]"

smelled of "sewage[,]" and that there was a "layer of grime over everything." Id. at 111-12.

Finally, ACDCS ongoing case manager Tonsha Dufor testified that she had continuing concerns regarding Mother's stability. When questioned as to whether she felt Mother had "shown the ability to provide long-term care for her children[,]" Dufor responded, "No." Id. at 269. Dufor went on to explain, "[S]ince I've been involved, [Mother's] just been inconsistent as far as meeting with service providers, maintaining employment[,] [and] most recently . . . she doesn't have her own independent housing." Id. Dufor further agreed that Mother's participation in services could be described as a "roller coaster of instability" and stated that her ultimate decision to recommend termination of parental rights as the permanency plan instead of reunification was based on Mother's "non-compliance with service providers, [her] not following through with the recommendations from the psychological (sic), [and] her mental health state." Id. at 279-80.

Based on the foregoing, we conclude that the trial court's findings set forth previously are supported by the evidence and that these findings support the trial court's ultimate determination that there is a reasonable probability the conditions resulting in the children's removal from Mother's care and custody will not be remedied. As stated previously, when considering whether to terminate a parent-child relationship, a trial court must assess the parent's ability to care for his or her children as of the date of the termination hearing. Rowlett v. Vanderburgh County Office of Family & Children, 841 N.E.2d 615, 621 (Ind. Ct. App. 2006), trans. denied. "[A] pattern of unwillingness to

deal with parenting problems and to cooperate with those providing social services, in conjunction with unchanged conditions, support[s] a finding that there exists no reasonable probability that the conditions will change." Lang v. Starke County Office of Family & Children, 861 N.E.2d 366, 372 (Ind. Ct. App. 2007), trans. denied.

By the time of the termination hearing, almost three years had passed since T.W. and T.D. had been removed from Mother's care, yet Mother still had not completed court-ordered services thereby making her unavailable to parent the children. It would be unfair to ask the children to continue to wait until Mother is willing and able to obtain, and benefit from, the help that she needs. See In re Campbell, 534 N.E.2d 273, 275 (Ind. Ct. App. 1989) (stating that the court was unwilling to put the children "on a shelf" until their mother was capable of caring for them). We next turn our attention to Mother's second allegation, namely, that the ACDCS failed to prove that termination of her parental rights is in the children's best interests.

We are mindful that when determining what is in the best interests of a child, the trial court is required to look beyond the factors identified by the Department of Child Services and to consider the totality of the evidence. McBride v. Monroe County Office of Family & Children, 798 N.E.2d 185, 203 (Ind. Ct. App. 2003). In so doing, the trial court must subordinate the interests of the parent to those of the child. Id. The trial court need not wait until a child is irreversibly harmed before terminating the parent-child relationship. Id. Moreover, we have previously determined that recommendations by the caseworker and court-appointed special advocate that parental rights be terminated, coupled with evidence that the conditions resulting in removal will

not be remedied, support a finding that termination is in the child's best interest. In re M.M., 733 N.E.2d 6, 13 (Ind. Ct. App. 2000).

In addition to the findings previously discussed, the trial court made several additional findings and conclusions thereon in deciding that the termination of Mother's parental rights is in the children's best interests, including the following:

> 20. The Guardian ad Litem believes that the best interests of the child are served by granting the petition to terminate the parent-child relationship. In support of his conclusion, the Guardian ad Litem cited the fact that [Mother] has not consistently complied with services, [Mother] has an unstable life[]style and there has not been consistent/ sustained progress in two[-]and[-]one-half years.
>
> * * *
>
> TO THE ABOVE FINDINGS OF FACT THE COURT . . . CONCLUDES THAT:
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> * * *
>
> 5. Termination must be in the child's best interests and the petition must have a satisfactory plan for the care and treatment of the child. . . . The Guardian ad Litem had determined that termination of parental rights and placement of the child for adoption is in the child's best interests. The court concludes that through termination of the parent[-]child relationship, the child can be placed in a safe and permanent home. Thus[,] the child's best interests are served by granting the petition to terminate the parent-child relationship. The adoption of the child is an appropriate plan.

Appellant's App. pp. 56-7. These findings and conclusion, too, are supported by the evidence.

The record reveals that Dufor recommended the termination of Mother's parental rights based on her continuing concerns regarding Mother's lack of stability and failure to complete services. Likewise, Guardian ad Litem Nathan McElroy

("McElroy") also recommended termination of Mother's parental rights. In so doing, McElroy testified that he believed termination was in the children's best interests because Mother had failed to complete court-ordered services and still did not possess the "parenting skills that these children need" despite having two years to do so. Tr. at 71. McElroy also expressed concerns regarding Mother's housing and employment instability stating, "I just don't think her lifestyle right now is stable enough[.]" Id. at 73. McElroy further testified that he felt "there would be harm to the children based on [Mother's] parenting skills" if the children were returned to Mother's care "without the involvement of the Court." Id.

Based on the totality of the evidence, including Mother's failure to complete services, inability to secure and maintain stable employment and suitable housing, and recent marriage to Father, coupled with the testimony from Dufor and McElroy recommending termination and adoption, we conclude that clear and convincing evidence supports the trial court's determination that termination of Mother's parental rights is in the children's best interests. See In re A.H., 832 N.E.2d 563, 570 (Ind. Ct. App. 2005) (stating that historic inability to provide adequate housing, stability, and supervision, coupled with current inability to do the same, supports a finding that continuation of the parent-child relationship is contrary to the child's best interests); see also In re A.I., 825 N.E.2d 798, 811 (Ind. Ct. App. 2005) (concluding that testimony of court-appointed special advocate and family case manager coupled with evidence that conditions resulting in continued placement outside home will not be remedied is

sufficient to prove by clear and convincing evidence that termination is in child's best interest), trans. denied.

Mother's final contention, that the ACDCS failed to show it had a satisfactory plan for the care and treatment of T.W. and T.D. following the termination of Mother's parental rights, is also unavailing. As stated earlier, before a trial court may terminate a parent-child relationship, it must first find there is a satisfactory plan for the care and treatment of the child. Ind. Code § 31-35-2-4(b)(2)(D). This plan need not be detailed, "so long as it offers a general sense of the direction in which the child will be going after the parent-child relationship is terminated." Lang, 861 N.E.2d at 366.

Here, casemanager Dufor testified that the ACDCS's plan for the children following termination of Mother's parental rights was adoption. In light of this evidence, we conclude that the plan set forth by the ACDCS for the adoption of the children is satisfactory. See Castro v. State Office of Family & Children, 842 N.E.2d 367, 378 (Ind. Ct. App. 2006) (stating adoption is generally a satisfactory plan for the care and treatment of children after termination of parental rights), trans. denied. Mother's arguments to the contrary, including her assertions that "there was no evidence that anyone had an interest in adopting the children[,]" and that "there is no evidence that the children would be adopted by the same family" and thus there was no showing that the plan was satisfactory are unavailing. Br. of Appellant p. 18. By informing the court that it intended to place the children up for adoption, the ACDCS properly provided the trial court with a general sense and direction as to its long-term plan of care for the children. As such, the ACDCS's plan satisfied subsection (D) of

the termination statute. Castro, 842 N.E.2d at 378; see also Page v. Greene County Dep't of Welfare, 564 N.E.2d 956, 961 (stating the welfare department is not required to completely detail the child's future, but only to point out in a general sense the direction of its plan).

CONCLUSION

We will reverse a termination of parental rights "only upon a showing of 'clear error'— that which leaves us with a definite and firm conviction that a mistake has been made." In re A.N.J., 690 N.E.2d 716, 722 (Ind. Ct. App. 1997) (citing Egly, 592 N.E.2d at 1235). Having determined that the trial court's judgment is supported by clear and convincing evidence, we find no such error here. Accordingly, the trial court's judgment terminating Mother's parental rights to T.W. and T.D. is hereby affirmed.

Affirmed.

BAKER, C.J., and KIRSCH, J., concur.